

# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

Application Number	10/631,323
Filing Date	July 31, 2003
First Named Inventor	Vito Fabbriozio
Art Unit	2122
Examiner Name	
Attorney Docket No.	03-I-712 (850063.603RI)

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): <u>Copy of Notice to File Missing Parts; PTO/SB/53; Petition Under 37 CFR 1.47; Declaration of Janice Kniep; Supplemental Application Data Sheet</u>
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	30423
Signature	<i>E. Russell Tarleton</i>		
Printed Name	E. Russell Tarleton		
Date	May 19, 2005	Reg. No.	31,800

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	** SENT VIA EXPRESS MAIL **		
Typed or printed name		Date:	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
C:\NRP\Btl\Manage\JANICE\K590890\_1.DOC

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

## Complete if Known

Application Number	10/631,323
Filing Date	July 31, 2003
First Named Inventor	Vito Fabbriozio
Examiner Name	
Art Unit	2122
Attorney Docket No.	03-I-712 (850063.603RI)

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 5,510

**METHOD OF PAYMENT (check all that apply)**

- ☒ Check    ☐ Credit Card    ☐ Money Order    ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account    Deposit Account Number: 19-1090    Deposit Account Name: Seed IP Law Group PLLC  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, **except for the filing fee**  
☐ Charge any additional fee(s) or underpayments    ☒ Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17

**Warning:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	<u>790</u>
Design	200	100	100	50	130	65	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
<u>24</u>	-20 or HP = <u>4</u>	X <u>50</u>	= <u>200</u>	Fee (\$)
				Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>16</u>	-3 or HP = <u>13</u>	X <u>200</u>	= <u>2600</u>

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	-100 = _____	/50 = _____ (round up to a whole number)	x _____	_____

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): <u>Missing Parts Surcharge</u>	<u>130</u>
<u>Extension of Time (4 months)</u>	<u>1590</u>
<u>Petition Fee</u>	<u>200</u>

**SUBMITTED BY**

Signature	<u>E. Russell Tarleton</u>	Registration No. (Attorney/Agent)	31,800	Telephone	206-622-4900
Name (Print/Type)	E. Russell Tarleton	Date	May 19, 2005		



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vito Fabbri et al.  
Application No. : 10/631,323  
Filed : July 31, 2003  
For : LOW-VOLTAGE, VERY-LOW-POWER CONDUCTANCE MODE  
NEURON

Art Unit : 2122  
Docket No. : 03-I-712 (850063.603RI)  
Date : May 19, 2005

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

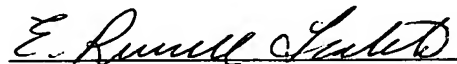
RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated November 19, 2004, please find enclosed the following documents:

  X   Fees  
  X   Oath/Declaration  
  X   Copy of Notice to File Missing Parts  
      Sheets of Replacement Drawings

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
E. Russell Tarleton  
Registration No. 31,800

The above-identified application was filed on July 31, 2003 without an oath or declaration under 37 CFR 1.63. A Notice to File Missing Parts was mailed by the U.S.P.T.O. on November 19, 2004, with an initial due date for response of January 19, 2005, which is extensible under 37 CFR 1.136 by four months, until May 19, 2005.

A copy of the above-identified application, along with a Declaration, was couriered to Mr. Alan Kramer at his home address on March 3, 2005. Because Mr. Alan Kramer was the last known person to have any contact with Mr. Gianluca Colli, he was asked to obtain the signatures of Mr. Vito Fabbriizio and Mr. Gianluca Colli. The Declaration, executed by Mr. Alan Kramer and Mr. Vito Fabbriizio, was returned to Mr. E. Russell Tarleton by Mr. Alan Kramer with a letter from Mr. Alan Kramer's Human Resource's Manager at UPEK, Inc., stating that the current whereabouts of Mr. Gianluca Colli are unknown. A copy of this letter is provided in Attachment A to the accompanying Declaration of Ms. Janice Kniep.

A copy of the above-identified application, along with the Declaration, was sent via U.S. Express Mail and via Federal Express to Mr. Gianluca Colli at his last known home address on May 12, 2005, with a cover letter requesting that the Declaration be signed and returned to E. Russell Tarleton at Seed IP Law Group PLLC using an enclosed prepaid, self-addressed Federal Express envelope. Evidence of mailing of both packages is provided in Attachment B of the accompanying Declaration of Ms. Janice Kniep. These documents were returned as undeliverable as set forth in more detail in the Declaration of Ms. Janice Kniep.

In light of Mr. Gianluca Colli's whereabouts being unknown, and in order to prevent irreparable damage and preserve the rights of the co-inventors and assignee of the above-identified application, it is necessary that the petitioning co-inventors be permitted to complete the prosecution of the above-identified application.

In view of the forgoing, it is respectfully requested that this Petition be granted to accept the above-identified application and to permit the petitioning co-inventors to complete the

05-20-05

EXPRESS MAIL NO. EV336596897US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/631,323	07/31/2003	Vito Fabbrizio	850063.603RI

00500  
 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
 701 FIFTH AVE  
 SUITE 6300  
 SEATTLE, WA 98104-7092

05/23/2005 EFLORES 00000013 10631323

01-FC:1001 790.00 OP  
 02-FC:1051 130.00 OP  
 03-FC:1201 2600.00 OP  
 04-FC:1202 200.00 OP

CONFIRMATION NO. 3362

## FORMALITIES LETTER

\*OC000000014411798\*

\*OC000000014411798\*

Date Mailed: 11/19/2004

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

## Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172.
- Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1128 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$2048 for a Large Entity

- \$790 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1128

05/23/2005 EFLORES 00000049 10631323

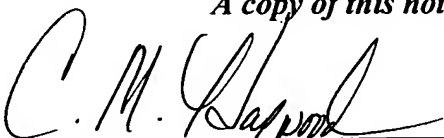
01-FC:1004 790.00 OP  
 02-FC:1051 130.00 OP  
 03-FC:1204 2600.00 OP  
 04-FC:1205 200.00 OP

- \$1056 for 12 independent claims over the original patent.
- \$72 for 4 total claims over the higher of 20, or the amount in the original patent.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

